HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.1048 OF 2007

Date: 12-12-2007.

Between :

Andhra Pragathi Grameena Bank
(Sponsored by Syndicate Bank), rep. by its Chairman.

.....Appellant.

And

Puram Venkataratnam & others.

.....Respondents.

HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki, ACJ)

There are 96 posts of Scale-II Officers, which are being filled up by promotion. Written examination has been conducted in which the writ petitioners have also participated. The case of the writ petitioners was that they were entitled for promotion before the merger, because this Bank was merged with other Banks in 2006 and therefore, their cases should be considered separately as against the 22 posts, which were available. The case of the respondents, however, is that after merger, the writ petitioners are not entitled to be treated separately. These are issues which can be decided in the writ petition, but at the same time, there are 96 posts available, for which, written examination has also been conducted and on the basis of writ petition by 17 candidates, the selection of 96 officers cannot be stalled. Since the writ petitioners are also competing now with others, therefore, we deem it proper to vacate the stay granted by the learned Single Judge and allow the appellants to make the selection. However,

the selection shall remain subject to the outcome of writ petition. The orders of promotion as and when issued, should reflect the condition that the promotions are subject to the outcome of writ petition.

Appeal is allowed accordingly.

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BILAL NAZKI, ACJ

12th December 2007.

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RAMESH RANGANATHAN, J

ajr